

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held October 24, 2002**

**Attendees: Chairman Elia Germani, Commissioner Kate Racine, Commissioner Brenda Gaynor, Steve Frias, Cindy Wilson, Thomas Massaro, Alan Nault and Luly Massaro.**

**Chairman Germani called the open meeting to order at 2:00 P.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.**

**Competitive Telecommunications Service Providers:**

The following companies submitted tariff revisions. The Division has reviewed the tariff filings and does not recommend suspension of:

2878 - Choice One Communications, Inc.

3028 - Qwest Communications Corp.

2472 - Sprint Communications

2618 - AT&T Communications of NE, Inc.

3196 - Z-Tel Communications, Inc.

2262(B17) - Custom Teleconnect, Inc.

2262(O11) - CenturyTel Long Distance, Inc.

2262(L10) - Paetec Communications, Inc.

2262(G16) - NYNEX Long Distance Co. d/b/a Verizon Enterprise Solutions

2262(F16) - Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance

After review, the Commission followed the Division's recommendation that the tariff filings be allowed to go into effect without suspension.

The following companies failed to comply with the currently effective "Regulations and Fee Schedules for Telecommunications Providers" and did not submit annual registration fees that were due not later than August 1, 2002. Failure to comply with regulations results in the revocation of authority to operate in RI. The Division filed a recommendation that the authority of the following companies be cancelled and rescinded for non-payment of annual registration fee:

3055 - ARBROS Communications Licensing Co.

3091 - BroadRiver Communications of Northeast Corp.

3317 - GiantLoop Telecom, Inc.

2955 - IG2, Inc.

3157 - Maxcess of Florida

3002 - NECLEC, LLC

3282 - Alpha Tel-Com, Inc.

3236 - International Payphone Corp.

2262(Y7) - ACSI Local Switched Services, Inc.

2262(U8) - Business Calling Plan, Inc.

2262(H11) - Cable & Wireless Global Card Services, Inc.

2262(H6) - Coast International, Inc.

2262(X7) - Combined Billing Corp.  
 2262(X14) - Comtel Network, LLC  
 2262(O14) - Cybertel Communications Corp.  
 2262(N4) - Eastern Telecommunications, Inc.  
 2262(J5) - EqualNet Corp.  
 2262(Z11) - erbia Network, Inc.  
 2262(Q13) - ezTel Network Services, LLC  
 2262(O6) - FaxNet Corp.  
 2262(L1) - Federal TransTel, Inc.  
 2262(B6) - Group Long Distance, Inc.  
 2262(B15) - Maxtel USA, Inc.  
 2262(T12) - NECLEC, LLC  
 2262(I12) - NEXTLINK Long Distance Services, Inc.  
 2262(B13) - P.D.S., Inc.  
 2262(E15) - Paramount International Telecommunications, Inc.  
 2262(A11) - Special Accounts Billing Group, Inc.  
 2262(V13) - Sterling Time Co.  
 2262(J15) - West End Communications, Inc.

After review, Chairman Germani asked for a motion and Commissioner Racine moved to rescind the authority of the companies. The motion was seconded by Commissioner Gaynor and unanimously passed. **Vote 3-0.**

**3459 – New England Gas Co.:** This docket relates to the Commission’s review of the Company’s proposed changes to various components of the Distribution Adjustment Charge (“DAC”) filed on August 1, 2002, for effect November 1, 2002. A hearing on the Company’s proposed DAC was held on October 24, 2002. At the hearing, the Commission heard testimony on various DAC components, including the level of earnings under the Energize RI Extension Settlement Agreement (“ERI-2”) to be included in the DAC. At the close of the hearing, the Company indicated that it would agree to defer implementation of the ERI-2 Weather Normalization Clause adjustment to afford the parties additional time to resolve the ERI-2 earnings issues raised in this proceeding. The Commission discussed the record as well as the Company’s motion (filed October 24, 2002) for setting a date for submitting briefs, after which the following motions were made:

- 1) Chairman Germani recommended and moved that the Company’s motion to defer implementation of the weather normalization adjustment be approved and that the other proposed changes to the DAC also be deferred pending completion of the Division’s investigation of the Company’s ERI-2 earnings. The motion was seconded by Commissioner Gaynor and unanimously passed. **Vote 3-0.**
- 2) Chairman Germani moved to grant the Company’s motion for setting a date for submitting briefs on the ERI-2 earnings issues raised in this proceeding. The briefs shall be filed on or before November 8, 2002 and shall be limited to 25 pages. The motion was seconded by Commissioner Racine and unanimously passed. **Vote 3-0.**

- 3) Chairman Germani moved to suspend the proposed DAC factor beyond the requested effective date of November 1, 2002, pending completion of the investigation regarding the Company's ERI-2 earnings. The motion was seconded by Commissioner Gaynor and unanimously passed. **Vote 3-0.**

The open meeting adjourned at 2:18 P.M.